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MULTILATERAL, BILATERAL AND UNILATERAL RESPONSES TO NUCLEAR WEAPONS PROLIFERATION

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1 - Nuclear Deterrence and Nuclear Non-Proliferation

The nuclear non-proliferation regime is at a crossroads.

Its past role as the subsidiary of the world nuclear confrontation, of which it was helping to maintain the nearly bipolar structure, and (for that very reason) almost the only area, for many years, of superpower agreement in the controversial field of arms control, has diminished, if not been superceded. The continuing existence of "proliferators" and the recurrent crises - like the recent one related to North Korea - show how vulnerable the regime remains. Moreover its central piece, the Nuclear Non-Proliferation Treaty (NPT) will expire in 1995 unless it is renewed.

At the same time, the ever longer list of NPT-signatories as opposed to the number of "new" nuclear countries since 1968 (no formal ones, much fewer real ones than expected) allows for the prediction that the regime is bound to remain a cornerstone of the "new world order" - whatever that is going to be.

One of the reasons for the success of the nuclear non-proliferation efforts undertaken in the late 1960s and early 1970s (NPT, Tlatelolco, INFCIRC 153 Nuclear Suppliers Group) was the link between the renunciation of nuclear weapons possession or control on the side of the non-nuclear weapons states (NNWS) and security guarantees given by nuclear weapons states (NWS) to those highly developed industrial states such as Japan, Germany, Italy, Sweden and others that were at that time considered to be most likely candidates for nuclear proliferation. This scheme eventually linked together a group of pratically all the industrial countries in a security/non-proliferation regime. As to the NNWSs involved, it gave them enough security to forego possession of, or control over nuclear weapons (combined with an intense consultation mechanism, at least on the side of NATO) and it leverage left enough for commercial activities in the field of the civilian use of nuclear energy.

As a consequence over the years a growing consensus has been reached towards non proliferation among NNWSs, which at the ouset had often been reluctant or opposed to the NPT and other components of the regime. Indeed they felt in their majority they were irreversibly discriminated against - something sovereign states usually do not take very well.

As to the nuclear weapons state USA, nuclear non-proliferation was considered to be a corollary of extending deterrence to European states and to Japan. For the Soviet Union, the nuclear monopoly was part of a scheme to control events in its domain, while it also guaranteed both internal and external security for its communist satellite regimes. France, Britain and to a certain degree also China were able to play a special role in this equation. Their nuclear weapons status was tolerable as long as their arsenals remained relatively small. Thus, the nearly bipolar structure referred to earlier came into being. China, however, was at least a partial exeption: by acquiring nuclear weapons it set a precedent for, and at the same time posed a security threat to neighboring India, thus setting off a proliferation chain that reaches far into the Middle East.

With the end of the Cold War and the dissolution of what was once the Soviet Union, this whole equation has changed fundamentally, thus leading us to suggest some updating in the basic trade-offs - indeed a sort of new deal between NWSs and the industrialized NNWSs, with the common purpose of giving the regime a new life. And this by 1995.

But before spelling out the elements of such a new deal, we will briefly review the relevant changes that have taken place.

The international framework within which we have to discuss proliferation issues is in a state of flux: Expectations that international cooperation and conciliation might form the basis for a pragmatic, stable and relatively peaceful international order have materialized only to a limited and unsatisfactory extent. Rather, existing cooperative structures are under heavy strain and regional and local conflicts may run out of control. The international constellation might develop in very different directions. In the best case, the existing cooperative structures in the Western world would not only be preserved and adapted to the changes, they would even be extended to include the East European states and those of the former Soviet Union, becoming what might be termed a "zone of peace and cooperation".

In the worst scenario, the northern hemisphere (including Europe) would fall back into the old age of an anarchic international society with local and regional conflicts in the Balkans and elsewhere being a constant source of trouble among the major powers. The rise of more nuclear weapons states may be envisioned in Europe or at its periphery, and the US may withdraw into its continental sanctuary, wielding a steadily decreasing role as a unilaterally acting international power.

Between these two scenarios is one in which Russia would again build up a new empire that is hostile toward the West and for which military means play the dominant role.

The nature of the proliferation problem has changed: While in the 1960s Germany, Japan, Italy, Sweden and a few others were considered to be the most likely candidates for nuclear weapons proliferation, today the most probable candidates are either Third World nations or former Soviet republics that might strive for nuclear weapons in anticipation of rather desperate situations (such as war with Russia or other superior neighbors). That poses major stability problems because of the new opportunities for accelerated proliferation in the world, even among technologically backward states.

As a corollary, the role of nuclear weapons in the hands of these proliferators may differ from the traditional functions that have been attributed to nuclear weapons since their invention.

In other words, there is no guarantee that nuclear weapons will only be used "politically", i.e. for deterrence, as in the past forty years between East and West and not militarily by detonating them as a desperate gesture. The culture of deterrence cannot be taken for granted worldwide.

If this is the proliferation problem today, there are nonetheless new voices pointing to the possibility that Germany or Japan - however strong their current antinuclear sentiments-might reconsider their attitude towards nuclear weapons, something that would probably be imitated by other industrial countries. A closer look at the proponents of this argument shows that their main concern is either the collapse of the non-proliferation regime under the pressure of the problems above or a security vacuum that might be left by US withdrawals from Europe and East Asia.

The nature of security problems and of security guarantees among

industrialized countries has changed radically: With the end of the Soviet threat, there is no longer a need for a graduated and flexible strategy to respond to various degrees of attacks by superior WTO forces in Europe through a combination of nuclear and non-nuclear forces, both intricately linked in a defense and a deterrence mode. The challenges for the security of Western European states or Japan are of a different kind (local and regional conflicts that spread out under various conditions) and are not necessarily apt to be solved by nuclear guarantees.

The only scenarios in which extended nuclear deterrence might play a role in the future are (1) the resurgence of Russia as a major military threat to Europe, and (2) the rise of new nuclear powers in Europe or in its neighborhood (Middle East, Western and Central Asia) or in North-East Asia. But even if Russia decided to resume a hostile attitude against the West, there will be no need for such a refined and sophisticated arsenal of tactical and substrategic nuclear weapons as those we we had been familiar with until the end of the Cold War. In case of the rise of new nuclear powers, the issue of extended deterrence will have to be addressed differently than in earlier times.

Security threats for NNWSs such as Japan and NATO states are thus difficult to define at the moment. However, for the time being at least, the role of the US as the international security supplier remains, and both the Tokyo-Washington Alliance and NATO have survived the end of the threat they were supposed to confront: no substitute is being proposed.

There are new opportunities for building an international consensus on non-proliferation and related security issues: A window of opportunity exists for such a new consensus and a new system of measures related to non-proliferation. The major powers of the northern hemisphere are in a state of basic accord over many important issues on the international agenda and to a large extent share the values of economic stability, integration, freedom and democracy as the main building blocks for a future international system. There is also an awareness that the role of military means as currency in international affairs should be reduced and partly shifted from national defense to international peace making and peace keeping. The very concept of full national sovereignity is under scrutiny.

Any attempt to create a new world order should be built around the nuclear non-proliferation and other non-proliferation regimes. To this end the opportunity exists to reduce the status differences between NWSs and NNWSs something that should add to the international acceptance of the NPT and its associated provisions. Moreover, a drastic reduction of the existing nuclear arsenals is under way and a higher degree of equality of obligations among NWSs and NNWSs could realistically be expected.

In devising strategies to strengthen the efficiency of existing non-proliferation regimes and to supplement them, where needed, by new international measures. For such international actions, a distinction must be made between obligations and constraints that have to be borne by NWS on the one hand and by NNWS on the other hand. In drawing up these obligations, it must be kept in mind that neither the NWSs nor the NNWSs form coherent groups. Among NWSs there is a difference between the US and all the others, since the US is the only remaining nuclear superpower and, as such, gives security guarantees to the other countries. Russia is a special case too due to its current uncertainties. The UK and France have smaller nuclear deterrents, differrently linked to the American one, in a strategic situation that the end of Cold War has left somewhat undefined. China has an even smaller nuclear capability,

officially to ensure national survival in extreme cases.

As for NNWSs, the difference is between industrialized countries that are part of a security alliance with the USA or another NWS; those not allied to any NWS now or in the past; and those who once had such a relationship (or were part of a NWS earlier), but no longer have it now.

An up-dated deal between NWSs and NNWSs must take these differences into account and should look for a fair sharing of obligations and rights.

2 - Constraints and Obligations for the Nuclear-weapons States

The following lists some measures that would impose constraints and obligations on NWSs.

Reduction of nuclear arsenals: In line with the logic of Article VI of the NPT, the fulfillment of the obligations on the NWS "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control" has now become a concrete prospect. As a consequence of the START Treaties, Russia and the US will have reduced their strategic weapons arsenals by the year 2003 to a total of 3000 to 2500 warheads for each side. Their arsenal of operational tactical nuclear weapons will be reduced to even smaller numbers over the coming years.

These breathtaking prospects notwithstanding, three major issues remain to be solved from the standpoint of many NNWSs:

- There are many practical and political problems that may jeopardize the actual implementation of the treaties.
- So long as the stability of Russia and other CIS members is still at risk, there is great concern about the location of the nuclear weapons as well as the weapons components and fissionable material of the former Soviet Union. This problem is already being dealt with as part of confidential and bilateral US/Russia consultation and cooperation. However, more international participation and sharing would reduce an excessive singularization of Russia, which is likely to play in the hands of the conservatives.
- Closely related to these issues is the question of whether it should still be acceptable that the NWSs are subject to virtually no international supervision of their activities in the civilian nuclear field.

A few suggestions are made here in this respect.

1) Both Russia and the US have already announced unilateral moratoria on their production of fissionable materials. Is it conceivable to codify this state of affairs in an **international ban on the production of materials** for nuclear weapons? Such a ban should have a prestablished duration -say five years- and be renewable. Also some kind of international verification should be considered. Since there are highly sensitive technologies involved (especially in the field of enrichment) this will certainly pose very intricate problems. Such a cut-off agreement should be structured in a multilateral way and not be linked to the NPT, so that non-partis such as India, Pakistan and Israel may be invited to join.

2) Moreover, one might envision making the process of transportation, storage, dismantling and destruction of nuclear weapons and their components **transparent** and subject to various forms of **international supervision or monitoring**. This could reasonably involve the following:

- the establishment of **nuclear weapons registers** covering all present and former nuclear weapons and their delivery systems; this register should be made in such a way as to fully protect the secrecy of warhead manufacture; on the other hand, it should help to secure control of nuclear weapons in case the national authority cannot do it.
- a form of international monitoring of the remaining nuclear weapons components, particularly the **fissionable materials** (primarily weapon-grade HEU and plutonium); for this reason the idea of an international plutonium storage (IPS) should be resurrected. This would place fissionable materials resulting from nuclear weapons dismantlement in the custody of the IAEA though they would not become property of this agency for the time being.

3) The current momentum of unilateral moratoria should help reach an agreement for a comprehensive nuclear test-ban (CTB). Its main purpose would be to prevent construction of new nuclear weapons in NWSs or of any type of nuclear weapons in countries without experience in the field. If, with such a drastic reduction of nuclear weapons, the other function of nuclear arsenals tests (checking the reliability of weapons) becomes more important, we suggest a **CTB treaty with derogation**, allowing the NWSs to perform a limited number of tests (say one per year) below a defined threshold of power, with prior notification of the IAEA.

4) As a corollary to these measures, all **civilian nuclear facilities of the NWSs should come under IAA safeguards**. The notion of safeguards for civilian nuclear facilities and activities in NWS is not new. It was debated in the 1960's and was eventually rejected. It was thought that it would be unnecessary to conduct inspections of nuclear industry in NWSs, since these states were allowed to possess and produce nuclear weapons in any case. Also, it was considered difficult to make a distinction between civilian and military nuclear activities in NWSs. But now, because of the decay of the former Soviet Union, there is a host of sensitive nuclear facilities in CIS states, including Russia, that are subject to no IAEA safeguard measures at all. With a cut-off agreement in force and a material balance of all nuclear activities in NWSs it would be easier to exert full control - irrespective of many technical problems that would have to be addressed in such a case.

Responsibilities for security in a broader sense: Since effective non-proliferation regimes - on both the regional and the global level - are not only an arms control issue, but a broader security concern, the international security responsibilities of NWSs have to be addressed. As was already mentioned, the most important NWS in this respect is the US. US security guarantees (in the main **positive guarantees)** are a necessary ingredient in the preservation of the current nuclear status quo in Europe, the Middle East and in East Asia. Only US guarantees can help curb nuclear proliferation trends in these regions that risk becoming unstable and in states that may even be prompted to weigh nuclear options.

US security guarantees would not only be an important means to provide security to individual NNWSs in possible unstable regional environments, they would also be important contributions to international stability in these regions. Security guarantees, however, cannot be the only instruments used in order to stabilize regional security constellations. Often other forms of engagement, peace-keeping, peace-making or peace-enforcement activities alone or in cooperation with other states

might be equally important.

A question very soon arises: how can this need for security guarantees and engagements be reconciled with the current pressures in the US to reduce rather than increase foreign commitments? What is needed first of all is to increase the awareness within the US that a recovery of the American economy can only take place if the US continues to be an internationalist power that needs a benign international environment (especially in Europe and East Asia, but also in other parts of the world).

Secondly, the ability and readiness of its European and Asian allies to assume responsibilities will become of utmost importance. The traditional ambivalence in the European attitude towards burden-sharing i.e. the fear that taking on too much of the burden for the conventional defense of Europe would risk a loosening of the nuclear guarantee is no longer valid. Especially the major NNWSs in Europe (Germany, Italy, Spain, the Netherlands, etc.) should assume responsibilities in the field of international peace-keeping, peace-making and peace-enforcement activities.

A task of the **European nuclear weapons states** (UK and France) is to prevent any situation from arising in Europe that might drive Germany or any other NNWS into a vexing nuclear weapons debate. France and Great Britain can play together with Germany and other European states and with the US an important role in managing those regional or local conflicts in Eastern Europe (especially in the Balkans) that have the potential of destabilizing the whole international constellation. As NWSs, however, they have the opportunity of leading the development, under the aegis of a European Political Union, of joint NWS-NNWS policies of security protection and non-proliferation that would be bound to influence the rest of the world (see below).

As to the responsibilities of Russia, the emphasis should be on negative security guarantees (like the one recently extended to Ukraine) rather than on positive ones. There are many states that want to dissociate themselves from their Russian patrons and that are apprehensive of nuclear blackmail and armed aggression from Moscow. Clear-cut and credible negative security guarantees by Russia - perhaps linked with Western pledges for economic aid - could help to ease the situation. On the other side, there are CIS republics such as Kazakhstan and Armenia which might become wild cards in terms of nuclear proliferation if they will not be able to rely on Russia for positive security guarantees.

Aside from their individual responsibilities, the NWSs must also act collectively in a way that creates stability and builds confidence in the NPT regime. In this respect, it is of utmost importance that they consider their role as permanent members of the UN-Security Council an obligation rather than a privilege. As a consequence, the NWSs should take action against any NNWS that violates its obligations under the NPT (enforcement of IAEA rights of inspection) or against any non-member that poses a threat to international peace by acquiring nuclear weapons.

3 - Constraints and Obligations for the Non-nuclear-weapon States

In the previous section we discussed the prospects for action or concession by the NWSs. In this section we would like to analyse how the increased consensus of the NNWSs could translate into policies. Of course, as we said before, there is no such thing as a group of NNWSs in opposition to NWSs, nor do we make any suggestion of constituting such a group. On the contrary, those NNWSs that are in a position of doing so, should take on an active role in building an enhanced non-proliferation regime in a new international security framework, jointly or in close

cooperation with the NWSs wherever possible, such as in Western Europe.

2Germany is the most important NNWS in Europe. After the collapse of the Soviet empire and national reunification, its autonomous political role at the center of the continent and indeed at the global level has been enhanced, while its economic role has not diminished. The only factor that would make one to hesitate to put it ahead of Russia in the hierarchy of European powers is nuclear weapons. Surrounding countries have in the past suffered from German power and watch the emergence of a stronger and larger Federal Republic with mixed feelings. Moreover Germany has a sizeble civil nuclear program.

On the other hand the German democratic parties have shown a constant concern to avoid any step that might even be interpreted as a move towards an independent nuclear weapons policy. Actually, Germany is so comfortable with its predominantly "civilian power" role that calls to participate in international peace-keeping and peace-making operations are resisted to the extent that it generates a different nervousness among the partners.

Several other European NNWSs have a comparable technological level and a non negligiable international weight (e.g. Italy, Spain, Sweden and then Belgium and the Nederlands). Some of the former satellites or republics of the USSR might aspire to a medium power status in a not too distant future.

Strikingly similar to the situation of Germany is that of Japan: the protection (cum control) of the US, the NNWS status, economic power, the growing - and increasingly autonomous -international role with a degree of integration in global cooperative structures, the historic suspicions of the neighbors, an even larger civil nuclear program, an even stronger anti-nuclear sentiment (because of Hiroshima) and the reluctance to participate in peace-keeping operations.

When the current five permanent members of the UN Security Council (P-5) were given their status they did not all have the nuclear bomb. But when they all became NWSs were the only ones to be recognized as such under the terms of the NPT. If it were to be agreed that any NNWS be invited to join as a new permanent member of the UNSC with veto power (assuming that the two things remain linked), the equation P-5=NWSs would no longer be valid. Germany and Japan are obvious candidates.

By far the main difference between the situations of these two countries is the array of multilateral institutions existing in Europe and absent, or nearly absent, in the Asia-Pacific area. Two institutions of which Germany is a member are particularly binding: NATO and the European Community. The former has served to codify and multilateralize the American protection of, and at the same time control over, Germany; since the collapse of the rival alliance, it is searching for a mission between continuity and change, and is certainly less binding than in the past. The latter may suffer from the opposite disease: too many missions.

In fact the EC - tomorrow the European Union if the Maastricht Treaty is ratified - is primarily supposed to set up a quasi-federal system, supranational and irreversible enough to rule out any national hegemony or attempted hegemony for ever; secondly, it is trying to put together enough power to make Europe a substantial contributor to the new international order; and thirdly, it is expected, in a not too distant future, to accomodate new members in central and eastern Europe, to stabilize their embryonic democracies, to develop their painfully changing economies, and to give them a sense of belonging.

The process of European integration contributed only marginally to nuclear

non-proliferation. Euratom initially provided a prototype safeguards system to be copied by IAEA; today it provides a usefull supplement to the Vienna agency, overwhelmed by increasing commitments. After a period of independent, often divergent non-proliferation policies by the member states (in the '70s), the European Political Cooperation (EPC) has given the Twelve a framework for increasingly convergent actions, and since the Lisbon European Council nuclear non-proliferation has become an area of joint foreign policy under the terms of the Maastricht Treaty. The existence of the EC was a strong factor in encouraging the only two non NPT signatories, Spain and France, to join in.

Export restrictions and surveillance has alrealy become a joint policy with the adoption by all member states of the Full Scope Safeguards policy consistent with the new European Integrated Market.

The impact of an increasingly integrated defense among the EC-12 (or temporarily the WEU-10) on the non-proliferation regime is debatable. Some may feel it would be adverse because it would generate a huge power, possibly a superpower, especially if the nuclear capabilities of the two NWSs which are members become a common European deterrent.

Such a full-fledged federal state, however, is not foreseeable in the development of a European Union. Certainly it would be useful it, following the Mitterrand "phrase" of early 1992, an increasingly close consultation take place in the WEU (for the time being) over the role of nuclear weapons in the current and foreseeable context of European security. This however should not lead to a Euro-Pentagon but to a Euro-NPG along the NATO lines (which, incidentally would not be abandoned), where the member states - NWSs as well as NNWSs - agree on the location and the targeting of the weapons deployed. In practical terms this would translate into a trade-off of renounciations between the Euro-NWSs and the Euro-NNWSs: the former would give up full national independence, the latter - current and future members - would confirm non possession of nuclear weapons. In sum, the security framework provided by the Atlantic Alliance and the integration framework provided by the Community work as a guarantee against proliferation both among the Germans and among their partners in Europe and in the world.

The importance of existing West European institutions explains the point that was made earlier about the different situation of the Asia-Pacific region, where no such institutions exist. If Europe today is an area of conflicts and tensions, Asia has the highest potential of proliferation of nuclear and other weapons of mass distruction. This potential is enhanced by the absence of institutions and by "balance of power" being the name of the game. North Korea is currently the origin of a possible destabilization of the equilibrium. We will return below to this "object" of non-proliferation policy. First we would like to discuss Japan as a "subject" of such a policy.

Japan is a very important actor in both the regional and the global theater. This is mostly due to its economic strength, but even within its (imposed) constitutional limits it has a very high military expenditure, one of the highest in the world. Economic power has not proven to be very rewarding in strategic terms, as the impact of the Gulf war on the US-Japan relations demonstrated. Tokyo has so far not been able to solve its border dispute with Moscow. Japanese security is dependent on safe navigation through seas and straits.

The absence of multilateral institutions for security and integration makes the role of the US even more crucial. This applies above all to the bilateral security

relationship between Tokyo and Washington which has a decisive importance as far as Japanese attitudes towards nuclear weapons are concerned.

Particularly relevant to nuclear proliferation is the huge civil program with a large number of scientists and technicians, highly skilled in all sectors including enrichment and reprocessing. The recourse to the recycling of plutonium - the largest in the world outside the NWSs - is generating huge quantities of this sensitive fissile material, although not in an isotope composition ideal for sophisticated nuclear warheads. Part of this plutonium is to be transferred to Japan from reprocessing centers located in Europe, recently an issue of concern.

Japan, though it had the same original misgivings as the European NNWSs, has over time become a full and outspoken supporter of the nuclear non-proliferation regime and it appears determined to become increasingly active in this field. Tokyo, for exemple has tried to use its economic leverage to discourage North Korea's nuclear activities. At the same time, the huge and growing plutonium national inventory and suggestions that Japan may develop a nuclear-powered submarine for "scientific research in deep sea" or that it may invoke art. 2 of the protocol accompanying its agreement with the IAEA to exert safeguard controls on its own facilities autonomously, as Euratom does for its member states, inevitably raise concern among neighbors and partners.

The participation of this crucial NNWS in any development and strengthening of the non-proliferation regime, particularly as we approach 1995, is of paramount importance. Any duplicity (e.g.: support the regime but get ready now in case it collapses) should be ensured against by the Japanese authorities. In particular the principle of the international character of safeguard controls and the authority of the IAEA should be fully respected. Tokyo should be encouraged in its current research on regional and more or less istitutionalized arrangements, following the European model to the extent allowed by the existing differences. The EC should seek a partnership with Japan to these ends.

This partnership should first of all aim at a close cooperation with the NWSs along the lines discussed in the previous section (including substantial contributions to security guarantees). A second field of action for industrially advanced NNWSs is an obligation to accept on-challenge inspectionss on their territory, to reinforce the otherwise rather weak provisions of INFCIRC/153 along with the model of the Chemical Weapons Convention. A third field is a new opening towards other important NNWSs, which are not part of a protective alliance, with the purpose of a) educating them on the advantages of non-proliferation for shared security interests, b) proposing fora for a non-patronising and non-antagonising dialogue, and c) offering security guaranties where appropriate.

Though most countries constitute specific case, we will identify four groups of NNWSs which appear to be of particular interest if new forms of cooperation are to be developed through a group-to-group approach whenever possible.

i) **Central and Southeastern Europe plus CIS member states other than Russia**. The latter must be assisted in the process of signing the NPT and finalizing agreements with IAEA leading to the definition of the status of the strategic nuclear weapons remaining in three states. All must be brought under strict international discipline as far as export controls are concerned. ii) **Latin American countries. They have moved from resistance to acceptance vis-à-vis non-proliferation**. It may be desirable to establish an effective bridge between the Tlatelolco Treaty and the NPT. Moreover, these countries should be pressed to join in a strict international regime of export

controls.

iii) **Moderate states of the Middle East, Egypt and Saudi Arabia.** The first imperative is to prevent the Israeli hidden nuclear capability from being considered an impediment to the peace process. The second is to reassure the Arab side that pressure is also exerted on Israel in order to correct the "anomaly" and to make sure that in the longer run, arms control, including nuclear non-proliferation is integrated.

iv) **ASEAN plus Taiwan and South Korea**. These countries must be reassured about the future of Japan. At the same time in an eventual Korean marriage, the Northern part must be prevented from bringing its partial capabilities as a dowry.

If we turn to those countries that are currently mentioned as "proliferators", one has to note that, after developments in Latin America and South Africa, their numbers have been considerably reduced. This allows for some concentration of pressures.

In the Middle East the case of Israel on one side and that of the Arab countries on the other are linked and different at the same time. Israel cannot join the NPT as a NWS without blowing up non-proliferation; nor can it join as a NNWS, without dramatically changing its (perceived) security. The non-moderate Arab countries are NPT-parties (except for Algeria, which has promised to sign), but cannot be fully trusted, since the "Saddam path" has been discovered. Freezing of the Israeli deterrent through a regional (or global as proposed above) production ban under international verification has been suggested. We consider this solution of a general production ban more realistic than a Nuclear Weapon Free Zone, for the time being of course. The strengthening of verification, with enhanced on challenge provision should do the rest.

The production ban may also be considered, as indicated above, as an international instrument to stop the nuclear race between two threshold countries like India and Pakistan, which also cannot be pressed to join the NPT because of the basic uncertainty about their classification as NWSs or NNWSs. There, too, some sort of a "peace process" is necessary, which should include regional arms control provisions

India, Israel and Pakistan may be considered the "lost cases" of nuclear non-proliferation. Their eventual adherence to the NPT as recognized NWSs would put the regime under severe, possibly unbearable, strain. On the other hand the case of South Africa shows that, contrary to common wisdom, proliferation is not irreversible that a NWS can destroy its nuclear warheads under new security conditions and perceptions, and join the treaty as a NNWS. This should be the long-term policy objective concerning there three threshold countries. The problem is how to get from here to there.

The case of North Korea is crucial because of the delicate situation in the Asia-Pacific region. The recent threat by Pyongjang to leave the NPT in application of art. X as a response to a IAEA claim to conduct a special inspection has generated a psychological precedent, especially if there is a perception that any advantage, however small, has been obtained by using it. Assuming that Iraq stays under a sufficient degree of international scrutiny, there remains the case of Iran whose hidden capabilities have probably been enhanced by ex-Soviet know-how (personnel, blue-prints, possibly materials too). This is the next critical case that requires joint action by the West and close cooperation with Russia.

If any of these critical hot spots of nuclear proliferation - that surround the uncertain future of the CIS and the relatively uncontrollable variable of China - gets out of hand before 1995, things may become very difficult for the non proliferation

regime.

4 - The nuclear non-proliferation regime: present and future

The regime comprises four components: 1) the NPT, plus Tlatelolco 2) the Nuclear Supplies Guidelines and any other export control provision; 3) the IAEA, and the safeguard controls, an indispensable support of previous two; and 4) the hidden role of intelligence, whose findings are shared only when found appropriate by the investigating country.

The effectiveness of this regime must be checked against old and new proliferation problems. The old problems are: 1) the acceptability of discrimination between NWSs and NNWSs; and 2) the existence of countries that refuse the regime and want to achieve a nuclear capability for various reasons. The former - a major obstacle in the early phase of the regime - has regularly come up at the NPT Review Conferences, but has been substantially kept under control because of the basic effectiveness of the international security system during the last quarter of a century. The latter has been subject to a process of focussing on fewer and fewer cases, but remains open and critical.

The new problems are: 1) the profound change of the international security system deriving from the collapse of the Soviet Union, including a certain downgrading of the strategic role of nuclear weapons in it; and b) the "fissile bonanza" deriving from either the military stock, civilian production and, eventually, warheaded dismantling.

In view of these old and new problems, there are no provisions of the existing regime that could possibly be relaxed. On the contrary, the instruments of the regime are often quite insufficient.

Any effort to strengthen nuclear non-proliferation should start with the NPT. The NPT will remain the cornerstone of all international attempts towards containing nuclear non-proliferation. The NPT contains all basic elements of a future nuclear non-proliferation regime. Although its language is partly outdated and although there would be a need to revise certain parts of it, most observers rightly agree that one would open up a Pandora's box if negotiations on amendments would start. Yet, in 1995 the member states will have to make up their minds whether they want an indefinite extension once and for all, a one-time extension for a fixed period or periodical extensions for fixed times that would be continued automatically unless a qualified majority of member states explicity wants its termination.

The NPT, however, even if extended, will not suffice to establish a lasting and stable international non-proliferation regime as part of the future international security order. A second vital component is a geographically extended and severely tightened nuclear export control system. Iraq and South Africa -to mention only the most recent cases - have shown that Western countries have also been unable, at times unwilling, to exert the proper surveillance. The introduction of export controls over missile and biochemical technologies should come as a reinforcement.

Thirdly, the suggestions made in this paper imply a dramatic increase in safeguard capabilities of the IAEA, well beyond the existing requirements deriving from new accessions to the treaty especially those of CIS members. At the same time, the IAEA is struggling against budget problems that make it difficult for it to ensure even the current level of activity. A reform is necessary that would involve both technology and methodology. As to the latter, the instrument of on-challenge (special)

inspections should be emphasized, so as to increase the outreach of the Agency but not to weaken its control over those countries with advanced civil programs that presently absorb by far the largest share the normal inspections.

Two issues have been raised here in relation to a possible qualitative and not only quantitative extension of the IAEA capabilities: a) whether to give it access to intelligence, and b) whether to involve it in nuclear weapons dismantlement programs. The first issue is linked to the broader problem of UN instruments of crisis prevention that is being discussed following the report of Secretary General Boutros Ghali in Spring 1992. It is unlikely to receive a positive response in the short term. As an intermediate measure, some action may be appropriately taken by the West, by developing, for instance at the level of the G-7, a nuclear proliferation intelligence sharing group with the participation of NATO and WEU representatives. It would be in the interest of the West to make their findings available to IAEA whenever possible.

As for the second issue, it has been suggested in this paper that nuclear weapons registers and international controls of military fissile material should be introduced. The implicit consequence is that military HEU and Plutonium should also be submitted to IAEA accounting prior to assembling, or subsequent to disassembling, of nuclear warheads.

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